

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BULK MATERIALS INTERNATIONAL CO.,

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 2/7/08

Case No.: 07 Civ. 9748 (CM)

Plaintiff,

-against-

M/V SMARTY, her engines, boilers, etc.,
and ALMONIO SHIPPING CO. LTD.,

Defendants.

**STIPULATION AND
ORDER OF TRANSFER**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, attorneys for the parties herein, that for the convenience of the parties and witnesses, this case is hereby transferred to the Southern District of Florida, West Palm Beach division, pursuant to 28 U.S.C. §1412; and

IT IS FURTHER AGREED that except as set forth below, all terms of the Club Letter of Undertaking ("LOU") dated April 5, 2007 and issued by the American Club in this regard will remain in full force and effect following the transfer, and

IT IS FURTHER AGREED that the LOU will be modified only to reflect that any dispute between the parties to the LOU shall be submitted to the exclusive jurisdiction of the United States District Court for the Southern District of Florida.

Dated: New York, New York
February 1, 2008

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Attorneys for Plaintiff

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SO ORDERED:


U.S.D.J.

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